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Please replace the paragraph beginning at page 29, line 26, with the following rewritten paragraph:

In other embodiments, a request for status by the viewer object proxy 504 to the health check 330, 426 results in a single status indicia being returned. The single status indicia is between one and zero with one indicating poor characteristics and zero indicating good characteristics. Good and poor characteristics are determined based on the ability or capability for a content exchange 116 or other transfer node to act as a content object cache. Thus, in an embodiment, an indicia of 0.9 indicates an inability to maintain a content object local to a content exchange 116 for an extended time. Alternatively, an indicia of 0.2 indicates an ability to maintain a content object for an extended time.

IN THE DRAWINGS:

Please replace Figure 4A of the current application with the replacement Figure 4A attached hereto.

REMARKS

The changes made to the specification and the replacement Figure 4A correct a situation where the reference designator "428" was used twice. To eliminate the problem, reference designator "428" on Fig. 4A is renamed to "426". As this typographical error would be obvious to one of ordinary skill in the art, no new matter is added by these amendments.

Attached hereto is a marked-up version of the changes made to the drawing, specification and claims by the current amendment. The attached page is captioned "**Version with markings to show changes made.**" A formal Fig. 4A that incorporates the change is included for entry if the Examiner chooses to accept the change.
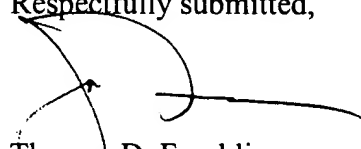
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CONCLUSION

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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DE 7059569 v1

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION:

Paragraph beginning at line 16 of page 15 has been amended as follows:

With reference to Fig. 4A, a block diagram of an embodiment of a content exchange portion 116 of the content distribution system 100 is shown. The content exchange 116 caches content objects requested by client computers 112 under the control of the content manager 312. Included in the content exchange 116 are a tracking system 402, and a content node 406. The tracking system includes a content tracker 404, a health check 426 ~~428~~, status information 420, a local content catalog 416, and an origin server database 424 while the content node 406 includes a content controller 408 and a content store 412.

Paragraph beginning at line 24 of page 15, has been amended as follows:

The health check 426 ~~428~~ can be either a hardware or software application which provides operational characteristics of an associated content exchange 116. In an embodiment, the health check 426 ~~428~~ provides a single indication of content exchange 116 status. The single indication may be a normalized value between zero and one indicating a combination of content exchange characteristics including, for example, a CPU load, a CPU temperature, a number of concurrent connections, and a number of requests a content exchange is facilitating. In an alternate embodiment, the health check 426 ~~428~~ could monitor characteristics of a content exchange 116 while running on another content exchange 116, origin server 108 or location.

Paragraph beginning at line 14 of page 29 has been amended as follows:

The aforementioned heuristics can be determined using the health check 330, 426 ~~428~~ associated with a particular content exchange 116 or origin server 108. In an embodiment, health check 330, 426 ~~428~~ are software applications running on a content exchange 116 and origin server 108 respectively. When queried by the viewer object proxy 504, the health check 330, 426 ~~428~~ may provide a CPU load, a CPU temperature, a

number of concurrent connections, and a number of requests the content exchange 116 or origin server 108 is currently servicing. In some embodiments, viewer object proxy 504 queries the content object exchange 116 via HTTP to retrieve server health check heuristics. It should be noted, however, that one skilled in the art would recognize many mechanisms for accessing server health heuristics including, but not limited to, FTP, NNTP, RTP, RTSP, SHOUT, SMTP, or connecting to the node through a designated port.

Paragraph beginning at line 26 of page 29 has been amended as follows:

In other embodiments, a request for status by the viewer object proxy 504 to the health check 330, 426 4̶2̶8̶ results in a single status indicia being returned. The single status indicia is between one and zero with one indicating poor characteristics and zero indicating good characteristics. Good and poor characteristics are determined based on the ability or capability for a content exchange 116 or other transfer node to act as a content object cache. Thus, in an embodiment, an indicia of 0.9 indicates an inability to maintain a content object local to a content exchange 116 for an extended time. Alternatively, an indicia of 0.2 indicates an ability to maintain a content object for an extended time.

IN THE DRAWINGS:

Replacement Figure 4A is attached hereto.

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